

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15306 of 2023

Arising Out of PS. Case No.-133 Year-2021 Thana- PHENHARA District- East Champaran

RAHUL SINGH, Male, aged about 30 years, Son of Mukesh Singh, R/v-
Marpa Mohan, P.S.- Phenhara (Fenhara), District- East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate
For the Opposite Party : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Phenhara
P.S. Case No. 133 of 2021 registered for the offence under
Sections 147, 148, 149, 341, 323, 325, 307, 379 and 504/34 of
the I.P.C.

The prosecution case, in brief, is that on 22.09.2021 at
about 7.30 P.M. when the informant was strolling on the road
and reached near the house of Mantu Singh, co-accused Ashok
Singh, Pankaj Singh, Rahul Singh (petitioner), Santosh Singh,
Bhushan Singh, Ratnesh Singh and Karun Singh Karunakar
armed with Lathi, Bhala and an Iron rod came and assaulted the
informant. Co-accused Ashok Singh @ Ashok Samrat assaulted
the informant with an Iron rod causing head injury. Rahul Singh



(petitioner) and co-accused Santosh Singh assaulted the informant with Lathi and Danda due to which, he fell on the road. Other co-accused also assaulted the informant and took chain and Mobile worth Rs. 1,00,000/-.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.11.2022. He has got no criminal antecedent. He has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no chance of trial being concluded in near future. The petitioner is said to have assaulted the informant with Lathi and Danda. No deadly weapon is said to have been used by the petitioner in course of the occurrence. The petitioner had no intention to commit murder. No offence under Section 307 of the I.P.C. is attracted in the present case. The alleged occurrence is said to have taken place on 22.09.2021 as to when the F.I.R. was instituted on 27.09.2021. Delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above-named, is directed to be released



on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, East Champaran, Motihari, in connection with Phenhara P.S. Case No. 133 of 2021.

(Sudhir Singh, J)

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